

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

----- X

JOYCE B. RHEINGOLD, Individually, and on  
behalf of all others similarly situated,

Plaintiffs,

Civil Action No. 1:08-CV-00438 (SAS)

-against-

MERCK & CO., INC. and SCHERING  
CORPORATION D/B/A SCHERING-  
PLOUGH CORPORATION, and  
MERCK/SCHERING-PLOUGH  
PHARMACEUTICALS,

**ORDER EXTENDING TIME TO  
ANSWER, MOVE OR OTHERWISE  
RESPOND TO COMPLAINT PENDING  
DECISION ON TRANSFER BY  
JUDICIAL PANEL ON  
MULTIDISTRICT LITIGATION**

Defendants.

----- X

This matter having come before the Court on application of the Defendants for an extension of time to answer, move or otherwise respond to the Complaint pending a decision on centralization of this and other matters by the Judicial Panel on Multidistrict Litigation (“MDL Panel”) in MDL Docket No. 1938, In Re Vytorin/Zetia Marketing, Sales and Products Liability Litigation, and the Plaintiff having consented to the extension on the terms set forth below, it is hereby

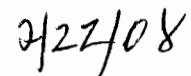
ORDERED that the Defendants shall notify the Court of the decision of the MDL Panel within three business days after the MDL Panel issues its decision, and it is further

ORDERED that the time within which the Defendants may answer, move or otherwise respond to the Complaint in the above matter is hereby extended to a date to be set at the first scheduling conference after the MDL Panel issues its decision, and it is further

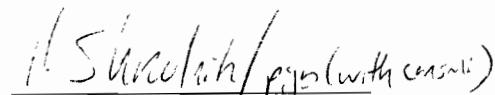
ORDERED that if the Defendants file a responsive pleading in any other similar action pending in another federal district court, they shall notify the Plaintiff's counsel before filing such a pleading, and the Plaintiff may then file a motion to amend this Order. Defendants reserve the right to oppose such a motion.



HON. SHIRA A. SCHEINDLIN, U.S.D.J.

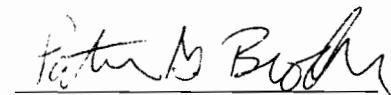


The undersigned consent  
to the form and substance  
of the above Order



H. Shkolnik / pgm (with consnl)  
Hunter J. Shkolnik, Esq.  
Rheingold, Valet, Rheingold,  
Shkolnik & McCartney LLP  
113 East 37<sup>th</sup> Street  
New York, NY 10016  
(212) 684-1880  
[hshkolnik@rheingoldlaw.com](mailto:hshkolnik@rheingoldlaw.com)

Attorneys for Plaintiff



Patrick G. Broderick  
Patrick G. Broderick, Esq.  
Dechert LLP  
30 Rockefeller Plaza  
New York, NY 10112  
(212) 698-3500  
[patrick.broderick@dechert.com](mailto:patrick.broderick@dechert.com)

Attorneys for Defendants